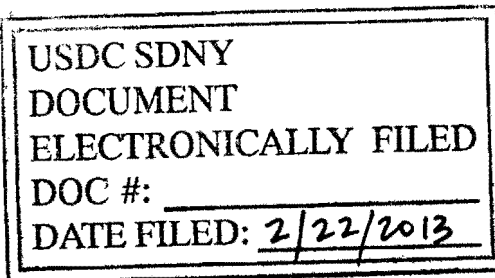


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



ANTON PURISIMA,

Plaintiff,

-against-

VICTORIA'S TRANSPORTATION CO.,  
INC., et al.,

Defendants.

**REPORT AND  
RECOMMENDATION  
TO THE HONORABLE  
LAURA TAYLOR SWAIN**

12 Civ. 3912 (LTS) (FM)

**FRANK MAAS**, United States Magistrate Judge.

In this action, pro se plaintiff Anton Purisima seeks to recover 998 decillion dollars because the defendant bus company failed to honor a ten dollar ticket discount. He also brings other claims.

In his amended complaint, Mr. Purisima lists his address as 390 Ninth Avenue, New York, New York 10001, which is the General Delivery Window ("GDW") of the James A. Farley United States Post Office. By order dated October 1, 2012, I directed the Clerk of the Court to mail an updated service package to Mr. Purisima at this address. Because the Postal Service holds mail (other than checks) at the GDW for only ten days, I further directed that Mr. Purisima check the GDW for mailings from the Court at least once per week throughout the pendency of this suit. (See ECF No. 13). After some delay, an updated service package was mailed to Mr. Purisima at the GDW on November 27, 2012, via United States mail. Despite this mailing, I am informed that Mr. Purisima never returned the service package to the defendants.

Additionally, on January 15, 2013, my Chambers sent Mr. Purisima notice of an initial conference, which was scheduled for February 21, 2013, at 10 a.m., in my courtroom. (ECF No. 16). This notice too was sent via United States mail to Mr. Purisima's address. On the morning of the conference, Mr. Purisima failed to appear. Furthermore, defendants' counsel, who was present, advised the Court that he had twice sent letters to Mr. Purisima regarding the conference and the need to submit a joint proposed scheduling order, but that Mr. Purisima had not responded.

In these circumstances, I recommend that Mr. Purisima's complaint be dismissed without prejudice for want of prosecution.

Notice of Procedure for Filing  
Objections to this Report and Recommendation

The plaintiff shall have fourteen days from the service of this Report and Recommendation to file written objections pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b) of the Federal Rules of Civil Procedure. See also Fed. R. Civ. P. 6(a) and (d). Any such objections shall be filed with the Clerk of the Court, with courtesy copies delivered to the chambers of the Honorable Laura Taylor Swain and to the chambers of the undersigned at the United States Courthouse, 500 Pearl Street, New York, New York 10007, and to any opposing parties. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6(a), 6(d), 72(b). Any requests for an extension of time for filing objections must be directed to Judge Swain. The failure to file these timely objections will result in a waiver of those objections for purposes of appeal. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6(a), 6(d), 72(b); Thomas v. Arn, 474 U.S. 140 (1985).

Dated: New York, New York  
February 21, 2013

  
FRANK MAAS  
United States Magistrate Judge

Copies to:

Honorable Laura Taylor Swain  
United States District Judge

Defendants' counsel (via ECF)

Anton Purisima (via U.S. Mail)  
General Delivery Window  
390 Ninth Avenue  
New York, New York 10001

Pro Se Office